

Australian and International Health-Related Laws, Codes and Ethical Guidelines

Health Practitioner Regulation National Law Act 2009 (National Law)

The **Health Practitioner Regulation National Law Act 2009** (QLD) is the legislation that underpins Australia's National Registration and Accreditation Scheme. The law is adopted (often with jurisdiction-specific modifications) in each state and territory and governs registration, regulation and discipline of registered health practitioners. The Queensland version (current as at 1 July 2024) is available on the Queensland legislation website and includes amendments not yet in force ¹.

Key provisions requested by the user

Section	Summary	Evidence
s 15 – Approval of areas of practice for endorsement	The Ministerial Council may approve areas of practice for which a health practitioner's registration may be endorsed ² .	Queensland National Law ²
s 26 – Health profession agreements	The National Agency must enter into a health profession agreement with each National Board covering fees, budgets, the services the Agency will provide to the board and dispute-resolution processes. The agreement must be published along with the fees for each profession ³ .	National Law ³
s 92 – Notice if student registration suspended or condition imposed	When a National Board suspends a student's registration or imposes conditions, the Board must notify the education provider; the provider must then notify relevant training organisations and ensure the student does not practise in contravention of the conditions ⁴ .	National Law ⁴
s 133 – Advertising	A registered health practitioner or student must not advertise regulated health services in a way that is false, misleading or deceptive; offers a gift or inducement without stating the terms; uses testimonials; creates unreasonable expectations of beneficial treatment; or encourages indiscriminate use of services. Penalties apply to individuals and corporations, and courts may consider Board guidelines in determining if the advertising breached this section ⁵ .	National Law ⁵

Section	Summary	Evidence
s 191 – Decision of panel	After a health panel or performance and professional standards panel hearing, the panel may decide there is no case to answer or that the practitioner engaged in unsatisfactory professional performance, unprofessional conduct or has an impairment. The panel can impose conditions, suspend registration or reprimand the practitioner and must decide a review period for imposed conditions ⁶ .	National Law ⁶
s 196 – Decision by responsible tribunal	When a responsible tribunal hears a matter, it may decide there is no case to answer or that the practitioner has engaged in unsatisfactory professional performance, unprofessional conduct, professional misconduct or has an impairment; or that the practitioner's registration was obtained improperly. Determinations include cautions, conditions, fines (up to the amount stated in the jurisdiction's Act), suspension, cancellation and disqualification from re-registration ⁷ .	National Law ⁷
s 306 – Paramedicine definitions	In the ACT version of the National Law, s 306 defines terms relevant to paramedicine (e.g., <i>Ambulance Service of NSW, Paramedicine Board, participation day</i>). It provides definitions necessary for transition to national registration of paramedics ⁸ .	ACT version ⁸

Download link

- **Health Practitioner Regulation National Law Act 2009 (current as at 1 July 2024)** – Official PDF from the Queensland legislation site: <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2009-045> ¹.

Ahpra / National Boards Regulatory Guide

Ahpra and the National Boards publish a **Regulatory Guide** that explains how they manage notifications, investigations, panels and tribunal proceedings under the National Law. The most recent publicly accessible version (April 2021) is hosted by the Australian Medical Association because the Ahpra site restricts direct access. The 2024 edition could not be accessed during this research.

Key sections relevant to s 191 and s 196 of the National Law

- **Panel decisions (s 191)** – The guide explains that if a panel decides a practitioner has no case to answer, the matter ends; otherwise the panel may find **unsatisfactory professional performance, unprofessional conduct or impairment** and can impose conditions, suspend registration or reprimand the practitioner. Panels may also refer matters to a responsible tribunal ⁹.
- **Tribunal findings (s 196)** – The guide lists determinations available to a responsible tribunal: no case to answer; findings of unsatisfactory performance, unprofessional conduct, professional misconduct, impairment or registration obtained improperly. Determinations include cautions,

conditions, fines (up to AU\$30 000), suspensions or cancellation of registration. If registration is cancelled, the tribunal may disqualify the person from applying for re-registration or prohibit them from providing health services ¹⁰ .

Download link

- **Ahpra Regulatory Guide – full guide (April 2021)** – PDF accessible via the AMA: <https://www.ama.com.au/sites/default/files/2022-03/Ahpra---Regulatory-guide---a-full-guide.PDF>. **Note:** The July 2024 edition is not publicly available; if it becomes accessible, replace this link in the download script.

Good Medical Practice: A Code of Conduct for Doctors in Australia

The **Good Medical Practice** code (Medical Board of Australia / Ahpra) sets out ethical and professional expectations for doctors. A 2020 update clarified doctors' right to express personal opinions and emphasised cultural safety, Aboriginal and Torres Strait Islander health and professionalism. The code prohibits doctors from prescribing Schedule 8 drugs or performing elective surgery for anyone with whom they have a close personal relationship and includes expanded guidance on discrimination, bullying, teaching and vexatious complaints ¹¹ .

Download links

- **Official code (2009 edition)** – [health practitioners can attempt to download the official PDF from the Ahpra site](#). However, access may be restricted; the download script also retrieves the AMA commentary on the 2020 update.
- **AMA Medical Board Code of Conduct 2020 commentary** – https://www.ama.com.au/sites/default/files/2022-03/MBA_Code_of_Conduct.pdf ¹¹ .

Australian Charter of Healthcare Rights

The **Australian Charter of Healthcare Rights** (2019 version) sets out seven fundamental rights for all patients and consumers: **access, safety, respect, communication, participation, privacy** and **comment**. The Charter emphasises that these rights apply across the Australian health system and ensures patients can contribute to improving health services ¹² .

Download link: https://www.safetyandquality.gov.au/sites/default/files/2021-04/australian_charter_of_healthcare_rights_2020.pdf ¹² .

National Statement on Ethical Conduct in Human Research (2023)

The **National Statement on Ethical Conduct in Human Research** (NHMRC, 2023) provides ethical standards for researchers and Human Research Ethics Committees. It details principles of **research merit and integrity, justice, beneficence, and respect**, describes risk-benefit analysis and requirements for informed consent, and provides guidance for research involving vulnerable groups ¹³ ¹⁴ . It applies to all human research in Australia and is mandatory for NHMRC-funded research.

Download link: <https://www.nhmrc.gov.au/sites/default/files/2023-12/National%20Statement%20on%20Ethical%20Conduct%20in%20Human%20Research%202023.pdf> ¹³ .

National Safety and Quality Health Service (NSQHS) Standards – Second Edition (2021)

The **NSQHS Standards** (Australian Commission on Safety and Quality in Health Care) aim to protect the public from harm and improve the quality of health service provision. The second edition (2021) introduces eight standards: **Clinical governance**, **Partnering with consumers**, **Preventing and controlling infections**, **Medication safety**, **Comprehensive care**, **Communicating for safety**, **Blood management**, and **Recognising and responding to acute deterioration** ¹⁵ ¹⁶ . Each standard includes criteria and actions health services must meet.

Download link: <https://www.safetyandquality.gov.au/sites/default/files/2023-04/nsqhs-standards-second-edition.pdf> ¹⁵ .

National Code of Conduct for Health Care Workers (Queensland)

The **National Code of Conduct for Health Care Workers (Queensland)** applies to unregistered health care workers and registered health practitioners providing services unrelated to their registration. It sets minimum standards of conduct, including practising safely within competence, obtaining valid consent, supporting informed choice, referring to other health professionals when needed, reporting concerns about other workers, responding to adverse events, practising infection control and avoiding misleading claims ¹⁷ . The code requires workers to obtain appropriate consent ¹⁸ , respect clients' right to informed choices ¹⁹ , report concerns about other workers ²⁰ and adopt standard infection-control precautions ²¹ .

Download link: https://www.careers.health.qld.gov.au/_data/assets/pdf_file/0027/188442/national-code-conduct-health-workers.pdf ¹⁷ .

Nursing Standards and Code of Conduct (Allowah policy)

The **Nursing Practice Standards and Code of Conduct Policy** (Allowah Presbyterian Children's Hospital, 2023) summarises the Nursing and Midwifery Board of Australia (NMBA) **Code of Conduct for Nurses** and standards of practice. It emphasises legal compliance, person-centred and culturally respectful practice, acting with professional integrity, teaching and supervising students, conducting research responsibly and supporting nurses' health and wellbeing ²² . The policy outlines seven **Registered Nurse Standards** (e.g., critical thinking, therapeutic relationships, maintaining capability for practice) and provides responsibilities for executives and registered and enrolled nurses to ensure compliance ²³ .

Download link: <https://www.allowah.org.au/wp-content/uploads/2023/06/Nursing-Practice-Standards-and-Code-of-Conduct-Policy-13-March-2023.pdf> ²² .

International Codes and Declarations

International Council of Nurses (ICN) Code of Ethics for Nurses (2021 revision)

The ICN Code of Ethics provides ethical values, responsibilities and professional accountabilities for nurses and nursing students globally ²⁴. It emphasises respect for human rights, cultural and racial inclusivity and outlines four principal elements: **nurses and patients/people** (promoting health, preventing illness and alleviating suffering), **nurses and practice**, **nurses and the profession**, and **nurses and global health** ²⁵. The Code encourages nurses to study, reflect on and discuss the ethical standards and apply them in practice ²⁶.

Download link: https://www.icn.ch/sites/default/files/2023-06/ICN_Code-of-Ethics_EN_Web.pdf ²⁵.

World Medical Association (WMA) International Code of Medical Ethics (2022)

The WMA's International Code of Medical Ethics outlines ethical principles for physicians worldwide. It states that the physician's primary duty is to promote the health and well-being of individual patients, treat patients fairly without discrimination and practise medicine with conscience, honesty and integrity ²⁷. Physicians must avoid conflicts of interest ²⁸, provide compassionate care, respect autonomy, obtain informed consent, maintain confidentiality and engage in continuous learning ²⁹. They must never participate in torture or cruel treatment and should practise in environmentally sustainable ways ³⁰.

Download link: https://www.med.or.jp/dl-med/wma/medical_ethics2022e.pdf ²⁷.

World Medical Association Declaration of Helsinki (2013 revision)

The **Declaration of Helsinki** sets ethical principles for medical research involving human subjects. It emphasises that the primary purpose of medical research is to generate knowledge, but this goal must never override the rights and interests of individual research subjects ³¹. Physicians involved in research must protect participants' life, health, dignity and privacy and conduct research according to scientific principles and appropriate risk-benefit analysis ³² ³³. Vulnerable groups require special protection, and research should be responsive to their health needs ³⁴.

Download link: <https://www.wma.net/wp-content/uploads/2016/11/DoH-Oct2013-JAMA.pdf> ³¹.

Download automation script

A **Bash** script has been prepared to automate downloading these documents. The script creates a `health_docs` directory and uses `wget` to download each file. It also provides a fallback download for the Medical Board Code of Conduct commentary. The user can run it on a Unix-like system with an internet connection:

```
bash download_health_regulations.sh
```

Script file

The script is provided as a file: . It includes comments describing each download. Users should verify that downloads succeed, because some official sites restrict direct access.

Conclusion

These laws, codes and guidelines collectively establish the regulatory and ethical framework for healthcare professionals in Australia and provide international context. They ensure that practitioners are registered and competent, regulate advertising and disciplinary processes, uphold patients' rights, and guide ethical conduct in clinical practice and research. Together they promote safety, accountability and respect across the Australian health system and align domestic practice with international ethical standards.

1 Health Practitioner Regulation National Law Act 2009

<https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2009-045>

2 3 4 5 6 7 HEALTH PRACTITIONER REGULATION NATIONAL LAW (VICTORIA) ACT 2009 (NO. 79 OF 2009) - SCHEDULE

https://classic.austlii.edu.au/au/legis/vic/num_act/hprnla200979o2009563/sch1.html

8 HEALTH PRACTITIONER REGULATION NATIONAL LAW (ACT) - SECT 306 Definitions

https://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/act/consol_act/hprnl428/s306.html

9 10 Ahpra - Regulatory guide - a full guide

<https://www.ama.com.au/sites/default/files/2022-03/Ahpra---Regulatory-guide---a-full-guide.PDF>

11 MBA_Code_of_Conduct.pdf

https://ama.com.au/sites/default/files/documents/MBA_Code_of_Conduct.pdf

12 PosterA3

<https://hunterpainspecialists.com.au/uploads/documents/Australian-Charter-of-Healthcare-Rights.pdf>

13 14 National Statement on Ethical Conduct in Human Research

<https://www.nhmrc.gov.au/sites/default/files/documents/attachments/publications/National-Statement-Ethical-Conduct-Human-Research-2023.pdf>

15 16 National Safety and Quality Health Service Standards, Second Edition

https://www.safetyandquality.gov.au/sites/default/files/2021-05/national_safety_and_quality_health_service_nsqhs_standards_second_edition_-_updated_may_2021.pdf

17 18 19 20 21 Microsoft Word - NCC Web Brief - Att 1 - Updates to Document - National Code of Conduct

https://www.careers.health.qld.gov.au/_data/assets/pdf_file/0027/188442/national-code-conduct-health-workers.pdf

22 23 Nursing-Practice-Standards-and-Code-of-Conduct-Policy-13-March-2023.pdf

<https://www.allowah.org.au/wp-content/uploads/2023/06/Nursing-Practice-Standards-and-Code-of-Conduct-Policy-13-March-2023.pdf>

24 25 26 ICN_Code-of-Ethics_EN_Web.pdf

https://www.icn.ch/sites/default/files/2023-06/ICN_Code-of-Ethics_EN_Web.pdf

27 28 29 30 WMA International Code of Medical Ethics – WMA – The World Medical Association

https://www.med.or.jp/dl-med/wma/medical_ethics2022e.pdf

31 32 33 34 **untitled**

<https://www.wma.net/wp-content/uploads/2016/11/DoH-Oct2013-JAMA.pdf>